

24794. Alfalfa meal. (F.D.C. No. 41420. S. No. 422 P.)

QUANTITY: 1,150 50-lb. bags at Washington Grove, Md.

SHIPPED: 1-7-58, from Toledo, Ohio, by Cummings Schooler Co.

LABEL IN PART: "Vita-A-Green Supreme 17/27 Leafy Irish Brand Pure Dehydrated Alfalfa Meal 1% Animal Fat added Crude Protein * * * 17.00% Crude Fat * * * 1.75% Crude Fibre * * * 27.00%."

LIBELED: 2-12-58, Dist. Md.

CHARGE: 402(b)(1)—a valuable constituent, namely protein, had been in part omitted or abstracted from the article when shipped; and 403(a)—the label statement "Crude Protein * * * 17% * * * Crude Fat * * * 1.75%" was false and misleading as applied to the article which contained less than 17 percent crude protein and more than 1.75 percent crude fat.

DISPOSITION: 6-9-58. Default—destruction.

24795. Malting barley. (F.D.C. No. 41701. S. No. 25-737 P.)

QUANTITY: 103,630 lbs. at Minneapolis, Minn.

SHIPPED: 5-1-58, from Lidgerwood, N. Dak., by Farmers Union Grain Terminal Association.

RESULTS OF INVESTIGATION: Inspection of the Lidgerwood elevator of the Farmers Union Grain Terminal Association showed an active rodent infestation.

LIBELED: 5-15-58, Dist. Minn.

CHARGE: 402(a)(3)—contained rodent pellets and rodent urine when shipped; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 5-26-58. Consent—claimed by Great Plains Supply Co., St. Paul, Minn. Segregated; 4,750 lbs. converted for use as animal feed.

24796. Unpopped popcorn and yelloweye beans. (F.D.C. No. 41493. S. Nos. 6-819/20 P.)

QUANTITY: 9 100-lb. bags of popcorn, and 7 cases, 24 1-lb. ctns. each, of yelloweye beans at North Adams, Mass.

SHIPPED: Between 7-17-57 and 1-16-58, from Chicago, Ill., and Albany, N.Y.

LIBELED: 3-28-58, Dist. Mass.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 6-16-58. Default—destruction.

24797. Unpopped popcorn. (F.D.C. No. 41588. S. No. 15-867 P.)

QUANTITY: 471 50-lb. bags at Columbus, Ohio.

SHIPPED: 1-6-58, from Murray, Ky., by Kentucky Popcorn Co.

LIBELED: 2-21-58, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained insects when shipped; 403(e)(1) and (2)—failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of contents; and 403(i)(1)—failed to bear a label containing the name of the product.

DISPOSITION: 3-24-58. Consent—claimed by Kentucky Popcorn Co. Segregated; 940 lbs. used as animal feed.

24798. Unpopped popcorn. (F.D.C. No. 41399. S. No. 15-266 P.)

QUANTITY: 31,000 lbs. at Delaware, Ohio.

SHIPPED: 1-14-58, from Mongo, Ind., by Denver Preston (Preston Popcorn Co.).
RESULTS OF INVESTIGATION: 21,635 lbs. of popcorn were shipped as described and, upon receipt at Delaware, Ohio, were commingled with other popcorn of undetermined origin.

LIBELED: 2-13-58, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 3-28-58. Default—consumption by animals.

CHOCOLATE PRODUCTS, CONFECTIONERY, AND SIRUP

CHOCOLATE AND COCOA

24799. Chocolate liquor. (F.D.C. No. 39649. S. Nos. 58-946 M, 58-948 M.)

QUANTITY: 36,964 ctns., each containing 64 lbs., at Philadelphia, Pa.

SHIPPED: 5-30-56 and 6-26-56, from Puerto Plata, Dominican Republic.

LIBELED: 10-24-56, E. Dist. Pa.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 11-1-56. Consent—claimed by Chocolatera Industrial C. por A., Puerto Plata, Dominican Republic. Segregated; 66,339 lbs. destroyed.

24800. Cocoa powder. (F.D.C. No. 39970. S. Nos. 17-722 M, 38-876/7 M, 49-788 M.)

INFORMATION FILED: 6-13-57, S. Dist. N.Y., against Harlem Food Products, Inc., New York, N.Y., and David Littman, general manager.

SHIPPED: Between 8-12-54 and 5-15-56, from New York to Maryland, Connecticut, and Florida.

LABEL IN PART: (Bag) "Dutched Cocoa Powder."

CHARGE: 402(b)(2)—when shipped, ground cottonseed flour had been substituted in whole or in part for cocoa powder; and 403(g)(1)—the article failed to conform to the definition and standard of identity for cocoa powder.

PLEA: Guilty.

DISPOSITION: 9-25-57. Corporation—\$3,000 fine. Individual—jail sentence of 1 year suspended, probation for 3 years, and \$2,500 fine.

CONFECTIONERY

24801. Candy. (F.D.C. No. 41138. S. Nos. 78-507 M, 78-509 M, 78-556 M.)

INFORMATION FILED: 2-3-58, W. Dist. Mo., against Commercial Candy Co., a corporation, Kansas City, Mo.

ALLEGED VIOLATION: Between 1-23-57 and 8-20-57, the defendants caused quantities of candy, while held for sale after shipment in interstate commerce, to be placed in a building accessible to insects and to be exposed to contamination by insects which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects, insect parts, and insect excreta; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-28-58. Corporation fined \$750, plus costs.